

**STATE OF NEW MEXICO
DEPARTMENT OF ENERGY, MINERALS AND NATURAL RESOURCES
OIL CONSERVATION DIVISION**

**APPLICATION OF COG OPERATING LLC
FOR A NON-STANDARD SPACING AND
PRORATION UNIT AND COMPULSORY POOLING,
EDDY COUNTY, NEW MEXICO**

11-06-11
11-17-11
CASE NO 15764

APPLICATION

COG Operating LLC ("COG") through its undersigned attorneys, hereby files this application with the Oil Conservation Division pursuant to the provisions of N M Stat Ann § 70-2-17, for an order (1) creating a 160 acre, more or less, spacing and proration unit comprised of the E/2 W/2 of Section 23, Township 17 South, Range 28 East, NMPM, Eddy County, New Mexico and (2) pooling all uncommitted interests in the Empire Glorieta-Yeso Pool (96210) In support of its application, COG states

1 COG Operating LLC (OGRID No 229137) is a working interest owner in the proposed non-standard spacing unit has the right to drill thereon

2 COG proposes to dedicate the above-referenced spacing and proration unit as the project area for its proposed **Malco 23 Federal Com No 13H Well**, which will be horizontally drilled from a surface location in the NE/4 NW/4 (Unit C) to a standard bottomhole location in the SE/4 SW/4 (Unit N) of Section 23

3 The completed interval for this well will remain not within the 330-foot offset as required by the Statewide rules for oil wells and will therefore be unorthodox COG will apply administratively for approval of an unorthodox location

4 COG has sought and been unable to obtain voluntary agreement for the development of these lands from all of the working interest owners in the subject spacing unit

5 The pooling of interests will avoid the drilling of unnecessary wells, will prevent waste and will protect correlative rights

6 In order to permit COG to obtain its just and fair share of the oil and gas underlying the subject lands, all uncommitted interests in this non-standard spacing unit should be pooled and COG Operating LLC should be designated the operator of this proposed horizontal well and spacing unit

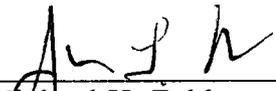
WHEREFORE COG requests that this application be set for hearing before an Examiner of the Oil Conservation Division on July 20, 2017 and after notice and hearing as required by law, the Division enter an order

- A Creating a 160 acre, more or less, spacing and proration unit E/2 W/2 of Section 23, Township 17 South, Range 28 East, NMPPM, Eddy County, New Mexico,
- B Pooling all uncommitted interests in the non-standard spacing and proration unit
- C Designating COG Operating LLC operator of this non standard spacing unit and the horizontal well to be drilled thereon,
- D Authorizing COG to recover its costs of drilling, equipping and completing the well,

- E Approving the actual operating charges and costs of supervision while drilling and after completion, together with a provision adjusting the rates pursuant to the COPAS accounting procedures, and
- F Imposing a 200% penalty for the risk assumed by COG in drilling and completing the well against any working interest owner who does not voluntarily participate in the drilling of the well

Respectfully submitted,

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ATTORNEYS FOR COG OPERATING LLC

CASE 15764

Application of COG Operating LLC for a non-standard spacing and proration unit and compulsory pooling, Eddy County, New Mexico Applicant in the above-styled cause seeks an order (1) creating a non-standard 160 acre more or less, spacing and proration unit comprised of the E/2 W/2 of Section 23, Township 17 South Range 28 East, NMPM, Eddy County, New Mexico, and (2) pooling all uncommitted interests in the Empire Glorieta-Yeso Pool (96210) underlying this acreage Said non-standard unit is to be dedicated to applicant's proposed **Malco 23 Federal Com No 13H Well**, which will be horizontally drilled from a surface location in the NE/4 NW/4 (Unit C) to a standard bottomhole location in the SE/4 SW/4 (Unit N) of Section 23 The completed interval for this well will remain not within the 330 foot offset as required by the Statewide rules for oil wells, and will therefore be unorthodox COG will apply administratively for approval of an unorthodox location Also to be considered will be the cost of drilling and completing said well and the allocation of the cost thereof as well as actual operating costs and charges for supervision, designation of COG Operating LLC as operator of the well and a 200% charge for risk involved in drilling said well Said area is located approximately 22 miles west of Maljamar, New Mexico